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APPLICATION NO.	F	ILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/522,414	10/522,414 01/26/2005		Nicolas Eches	CELA:132	5549
27890	7590	06/14/2006		EXAMINER	
STEPTOE	& JOHN	SON LLP	HOLMAN, JOHN D		
1330 CONNECTICUT AVENUE, N.W.				ART UNIT	PAPER NUMBER
WASHING	ron, dc	20036	ARTUNIT	PAPER NUMBER	
				3643	

DATE MAILED: 06/14/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

## Dis22,414   ECHES ET AL.		Application No.	Applicant(s)					
John D. Holman   3643		10/522,414	ECHES ET AL.					
Period for Reply  A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 1 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  Scandons of time may be assigned under be provided on 30° 76° 1130°(a). In or went, movement, may a reply be timely field.  If NO period for reply is specified above, the maximum statutory period will apoly and will expire SIX (8) MONTHS from the maining date of this communication.  Figure to eliquid with the set or extended period for reply, with by states or extended period for reply with by the set or extended period for reply with by the set or extended period for reply, with by states or extended period for reply, with by the set or extended period for reply, with by the set or extended period for reply, with by the set or extended period for reply, with by the set or extended period for reply, with by the set or extended period for reply, with by the set of the scommunication, even if timely filed, may reduce any standard part to the set of the scommunication, even if timely filed, may reduce any standard part to the set of the scommunication, even if timely filed, this communication.  Status  1) □ Responsive to communication(s) filed on 1/24/2006.  2a) □ This action is FiNAL. 2b) □ This action is non-final.  3) □ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quaylo, 1935 C.D. 11, 453 O.G. 213.  Disposition of Claim(s)	Office Action Summary	Examiner	Art Unit					
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WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.  - Extensions of time may be available under the provisions of 37 CFR 1.1363. In or servir, however, may a reply be timely lifed  - If NO peaced for reply is specified above, the materium statularly pend will apply and will aspire SIX (by MONTHS from the mailing date of this communication.  - Failure to reply within the set overhead peaced or reply wills by statuce, cause the application to become ARADONED 35 U.S. C. § 1.39.  - Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any sense places to many application in the mailing date of this communication, even if timely filed, may reduce any sense places them adjustment. See 37 CFR 1.764(b).  - Status  1) Separate than adjustment is seed of CFR 1.764(b).  - Status  1) Separate them adjustment is seed of CFR 1.764(b).  - Status  1) Separate them adjustment is seed of CFR 1.764(b).  - Status  1) Separate them adjustment is seed of CFR 1.764(b).  - Status  1) Separate them adjustment is seed of CFR 1.764(b).  - Status  1) Separate them adjustment is seed of CFR 1.764(b).  - Status  1) Separate them adjustment is seed of CFR 1.764(b).  - Status  1) Separate them adjustment is seed of CFR 1.764(b).  - Status  - Status  1) Separate them adjustment is seed of CFR 1.764(b).  - Status  - Statu	The MAILING DATE of this communication appears on the cover sheet with the correspondence address Period for Reply							
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Paper No(s)/Mail Date 6) Other:								

## **DETAILED ACTION**

## Election/Restrictions

This application contains claims directed to more than one species of the generic invention. These species are deemed to lack unity of invention because they are not so linked as to form a single general inventive concept under PCT Rule 13.1.

The species are as follows:

Species I in which a sealing band is claimed (claims 1-10, 16)

Species II in which an arrow projectile is claimed (claims 11-15)

Applicant is required, in reply to this action, to elect a single species to which the claims shall be restricted if no generic claim is finally held to be allowable. The reply must also identify the claims readable on the elected species, including any claims subsequently added. An argument that a claim is allowable or that all claims are generic is considered non-responsive unless accompanied by an election.

Upon the allowance of a generic claim, applicant will be entitled to consideration of claims to additional species which are written in dependent form or otherwise include all the limitations of an allowed generic claim as provided by 37 CFR 1.141. If claims are added after the election, applicant must indicate which are readable upon the elected species. MPEP § 809.02(a).

The species listed above do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, the species lack the same or corresponding special technical features for the following reasons: Species I differs from Species II in claiming reinforcing ribs extending longitudinally to the back of the pusher plate, which Species I lacks.

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Applicant is advised that the reply to this requirement to be complete must include (i) an election of a species or invention to be examined even though the requirement be traversed (37 CFR 1.143) and (ii) identification of the claims encompassing the elected invention.

The election of an invention or species may be made with or without traverse. To reserve a right to petition, the election must be made with traverse. If the reply does not distinctly and specifically point out supposed errors in the restriction requirement, the election shall be treated as an election without traverse.

Should applicant traverse on the ground that the inventions or species are not patentably distinct, applicant should submit evidence or identify such evidence now of record showing the inventions or species to be obvious variants or clearly admit on the record that this is the case. In either instance, if the examiner finds one of the inventions unpatentable over the prior art, the evidence or admission may be used in a rejection under 35 U.S.C.103(a) of the other invention.

Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a request under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(i).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to John D. Holman whose telephone number is 571 272-2754. The examiner can normally be reached on Monday through Friday 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Poon can be reached on 571 272-6891. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JDH

PETER M. POON SUPERVISORY PATENT EXAMINER

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